

10/506803

(12) INTERNATIONAL APPLICATION PUBLISHED UNDER THE PATENT COOPERATION TREATY (PCT)

(19) World Intellectual Property Organization
International Bureau

Rec'd PCT/PTO 07 SEP 2004

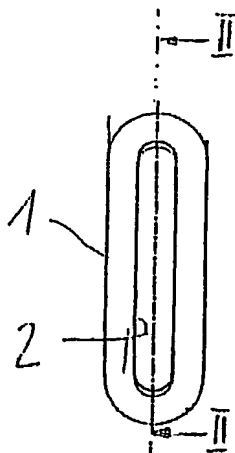
(43) International Publication Date
19 September 2002 (19.09.2002)

PCT

(10) International Publication Number
WO 02/071959 A1

- (51) International Patent Classification⁷: A61B 17/70
- (21) International Application Number: PCT/CH02/00136
- (22) International Filing Date: 6 March 2002 (06.03.2002)
- (25) Filing Language: English
- (26) Publication Language: English
- (30) Priority Data:
01810243.4 9 March 2001 (09.03.2001) EP
- (71) Applicant (for all designated States except US):
CO-LIGNE AG [CH/CH]; Utoquai 43, CH-8008 Zurich (CH).
- (72) Inventor; and
- (75) Inventor/Applicant (for US only): LANGE, Robert
[US/FR]; 39, rue du Temple, F-75004 Paris (FR).
- (74) Agent: GRONER, Manfred; Isler & Pedrazzini AG, Post-
fach 6940, CH-8023 Zurich (CH).
- (81) Designated States (national): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NO, NZ, OM, PH, PL, PT, RO, RU, SD, SE, SG, SI, SK, SL, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VN, YU, ZA, ZM, ZW.
- (84) Designated States (regional): ARIPO patent (GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian patent (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European patent (AT, BE, CH, CY, DE, DK, ES, FI, FR, GB, GR, IE, IT, LU, MC, NL, PT, SE, TR), OAPI patent (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).
- Published:
— with international search report
- For two-letter codes and other abbreviations, refer to the "Guidance Notes on Codes and Abbreviations" appearing at the beginning of each regular issue of the PCT Gazette.

(54) Title: LONGITUDINAL IMPLANT



(57) Abstract: The longitudinal implant is fastened to bones on either side of a damaged area through a connecting device. Said implant is comprised of a filament or fiber composite material and said connecting device is made of a material harder than said longitudinal implant. The longitudinal implant is preferably made of a carbon filament composite material, wherein the filaments are encapsulated in a polymer matrix.

WO 02/071959 A1

Longitudinal Implant

5

This invention relates to a longitudinal implant and connecting device wherein said longitudinal implant is fastened to bones on either side of a damaged area through said connecting device.

10 In some spinal repair situations, the damaged area of the spine is spanned by a slotted plate through which pedicle screws are inserted and fastened to the pedicle bones on either side of a damaged area. This fixes the spatial distance between the pedicle bones and therefore fixes the distance between vertebrae so
15 that the damaged area of the spine can be repaired. In other spinal situations, the damaged area of the spine is spanned by a rod. At least two connectors are slidable along the rod connecting pedicle screws or hooks to the rod. Such a rod and fixation system is disclosed in EP 0 923 908A (Robert Lange).

20

Spinal repair is often times accomplished with hollow cages in which bone fragments are inserted that will grow to an extent to fuse the upper and lower vertebrae together at the damaged area. By fixing and holding the distance between these vertebrae, the
25 bone in the cages will have time to grow and join the vertebrae together.

It is an objective of this invention to provide an elongated implant and pedicle screw or hook fixation system providing an in-
30 creased stability.

The implant of the device according to this invention is comprised of a filament composite material and said pedicle screws

or hooks are made of a material harder than said implant. The implant provides a surface that has more friction than a titanium implant. If the implant is a plate having a longitudinal slot, the plate is placed between a nut and an upper surface of a pedicle screw. The plate can be squeezed and locked into position because the squeezing and the increased friction between titanium and the filament composite material. When all members are titanium, the required position is not always available and indentations are often provided along the slot.

Fixation systems manufactured from metals such as titanium alloy and stainless steel confound postoperative radiologic assessments because they are radiopac and can produce artefact.. The use of an implant comprised of a fiber reinforced polymer composite permits better diagnostic assessment of soft tissue and bone by normal radiographic methods.

According to a preferred embodiment of the invention, the fibers are aligned lengthwise, so that compression will not change their strength characteristics to any extent even when compressed. Preferably the fibers or filaments are oriented to resist biomechanical forces.

Other advantages and features of the present invention will be apparent to those skilled in this art reaching the following specification with reference to the accompanying drawings in which:

- Fig. 1 is a view of an embodiment of an implant of this invention;
- Fig. 2 is a section along line I-I of Figure 1;
- Fig. 3 is a section through an embodiment of the implant with a different curvature;

- Fig. 4 shows the implant according to Figure 3 connecting two pedicle screws;
- Fig. 5 a schematic view of a material block with horizontal fiber and an implant machined from this block;
- Fig. 6 a schematic view of a material block with a curvature fiber orientation and an implant machined from this block;
- 10 Fig. 7 a side view of a connecting device of this invention;
- Fig. 8 a partial section through the connecting device;
- Fig. 9 a side view of an implant testing configuration;
- 15 Fig. 10 and 11 overall views showing rods or rails connecting two vertebrae of a spinal cord;.
- Fig. 12 a perspective view of another embodiment of an implant of this invention and
- Fig. 13 a section along line XIII-XIII of figure 12.
- 20 Figure 1 and 2 disclose a plate 1 having a longitudinal slot 2 extending along a substantial portion of its length. The plate has a curvature of about 10^0 as shown in Figure 2. Figure 3 discloses a plate 1' which has a curvature of 20^0 .
- 25 The plates 1 and 1' as well as rods 30 and rails 17 are manufactured from a composite material composed of long filaments or fibers 18 and 19 encapsulated in a matrix 4 as shown in Figure 13. The filaments or fibers 18 and 19 are preferably long carbon filaments and the matrix is preferably a polymer. Preferably the
- 30 carbon filaments or fibers 18 and 19 are encapsulated in the polymer polyether-ketoneetherketoneketone (PEKEKK). PEKEKK is a known biocompatible polymer. Another possible polymer is polyetheretherketone (PEEK). PEKEKK is preferred to PEEK because of

its greater physical and chemical resistance properties. These characteristics impart greater stability to the plates 1 and 1' rods 30 and rails 17 or other connecting parts during a long-term implantation.

5

Figures 4, 7 and 8 disclose a pedical plate fixation systems 5 and 5' comprising a plate 1', two bone screws 6 and two nuts 7. The screws 6 and the nuts 7 are manufactured from steel or medical grade titanium alloy. Bone screws 6 are common in the orthopedic arts. The screws 6 are provided with bone engaging threads 6a and at its other end a screw segment 6b with a conventional thread. The thread 6a flairs outwardly to an enlarged portion 6c. The enlarged portions 6c having a width greater than the width of the slot 2. The screw segment 6b extending outwardly from the enlarged portion 6c and extending through the slot 2. The nut 7 is received by the screw segment 6b, whereby the plate 1' can be grasped between the enlarged portion 6c and the nut 7 to tightly secure the plate 1 by threading the nut 7 toward the enlarged portion 6c.

20

The embodiment according to Figure 7 is provided with slip washers 20, 21 and 22 having a planar surface 20a, 21a, 22a and a concave or convex surface 20b, 21b, 22b. The planar surfaces 20a and 21a are touching the plate 1' are preferably provided with ribs (not shown), which are depressed in the plate 1' and which prevent the screw 6 from moving along the slot 2.

25

As the carbon-filament composition material of the plate 1 is softer than titanium and at its surface is somewhat rougher than a titanium surface, the plate 1 can be squeezed between the enlarged portion 6c and the nut 7. This prevents the screws 6 from moving along the slot 2 both by depression caused by the squeezing and the enhanced friction there between.

30

The filaments 3 encapsulated in the polymer matrix 4 are oriented as shown in figures 7 and 8. The plate 1 is machined from a block 8 having a curvature fiber orientation as indicated in Figure 6. The curvature of the fiber lay-up is the same as the curvature of the plate 1 or plate 2. The filaments 3 in the matrix 4 are therefore aligned lengthwise of the slot 2. The Figure 5 shows a block 8' with a parallel curvature lay-up and the in the plate 1'' machined from this block 8' the filaments do not follow the curvature of the plate 1'' and are shorter. With the testing configuration 10 disclosed in Figure 9, tests were conducted using the ASTM provisional standard for spinal implants. This mechanical testing has shown that the strength of the plate 1 and 1' is similar to plates made from stainless steel and titanium. The goal of stabilization has not been sacrificed. As material of the plates 1 and 1' is radiolucent, the plates do not interfere with diagnostic methods.

As already mentioned, the implant according to this invention can also be a rod 12 as disclosed in Figures 10 and 11 or a rail according to Fig. 12 and 13. Two connectors 13 include two clamping members 14 connecting pedicle screws 15 to said rods 12. The rods 12 and rails are made from the same material as the plates 1 and 1' and the filaments encapsulated in the matrix are preferably oriented in axial direction. A rail 17 with a rectangular cross section as shown in Fig. 12 and 13 is more stable to rotation than a rod.

Another advantage of implants manufactured from a carbon filament composite material is that its strength, flexibility and hardness can be varied by changing the ratio of filaments to plastic. It has been found, that "bone growth" is enhanced when it is under a certain degree of physiological stress. Thus, it

will be desirable to select a composite ratio for the plate to gain the required degree of stiffness without sacrificing any strength. The ratio of filaments to plastic is preferably higher than 40% (weight) and more preferably higher than 60% (weight).

5

The filaments of fibers are not randomly embedded, but oriented in layers A as shown in Fig. A. The layers A can be parallel to each other and to a surface 23 as shown in Fig. 13. The layers A may be made up of woven filaments 18 and 19. The filaments 18
10 are oriented in the axial direction of the longitudinal implant 1, 17 and 30. The filaments 19 are oriented perpendicular to the axial direction. The filaments 18 and 19 are oriented to resist the biomechanical forces as for example bending force as shown in Fig. 9. The filaments can also be coiled to resist torsion
15 forces. The distance D between two layers A is preferably less than 0.5 mm and preferably about 0.1 mm.

Claims

1. Longitudinal implant and connecting device wherein said
5 longitudinal implant is fastened to bones on either side of a
damaged area through that connecting device, said implant is
comprised of a filament or fiber composite material and said
connecting device is made of a material harder than said longi-
tudinal implant.

10 2. Connecting device according to claim 1, wherein the lon-
gitudinal implant is made of a carbon filament composite mate-
rial.

15 3. Connecting device according to claim 1 or 2, wherein the
filaments are encapsulated in a polymer matrix.

4. Connecting device according to claim 3, wherein the fila-
ments are encapsulated in PEEK or PEKEKK.

20 5. Connecting device according to any of claims 1 to 4,
wherein the filaments are oriented.

6. Connecting device according to claim 1, wherein the im-
25 plant being an elongated plate having a longitudinal slot ex-
tending along a substantial portion of its length.

7. Connecting device according to claim 6, wherein the con-
necting device comprising a pedicle screw having an upper sec-
30 tion having a width greater than the width of said slot and ex-
teriorly threaded portion extending outwardly from said section
and extending through said slot.

8. Connecting device according to claim 7, wherein an interiorally threaded nut is received by the outer end of said threaded portion whereby said plate can be grasped between said upper section and said nut to tightly secure said plate by threading said upper section.

9. Connecting device according to claim 1, wherein said implant is a rod or a rail.

10. Connecting device according to claim 1, wherein said connecting device comprising a screw and a nut which are made of titanium.

11. Connecting device according to claim 1, wherein said implant is a rail (17) having a rectangular cross section.

12. Connecting device according to any one of claims 1 to 11, wherein the filaments are woven.

20

1/3

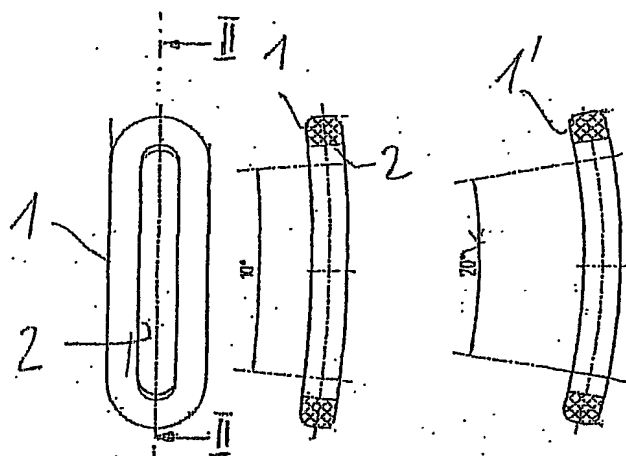


Fig. 1

Fig. 2

Fig. 3

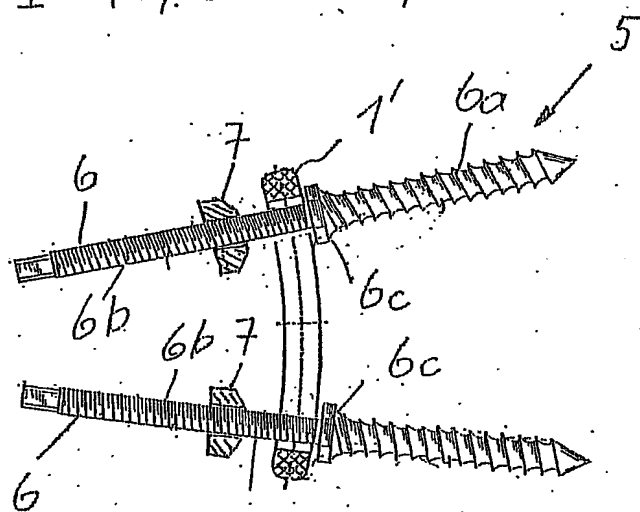


Fig. 4

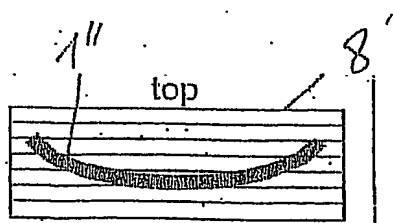


Fig. 5

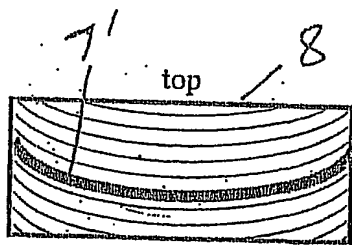
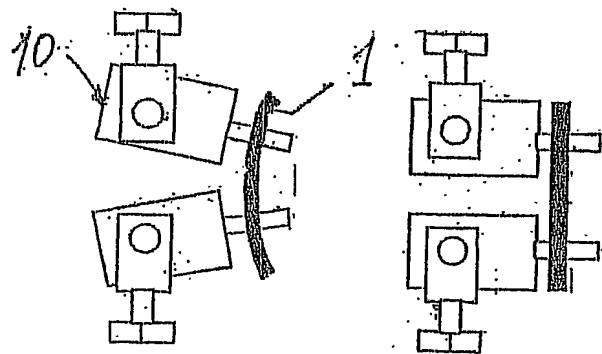
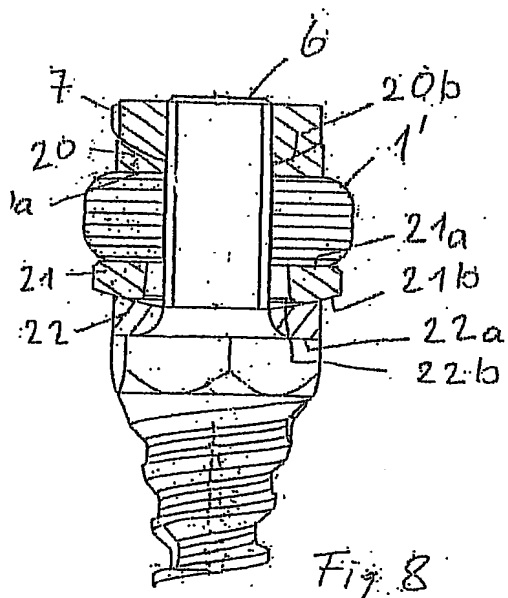
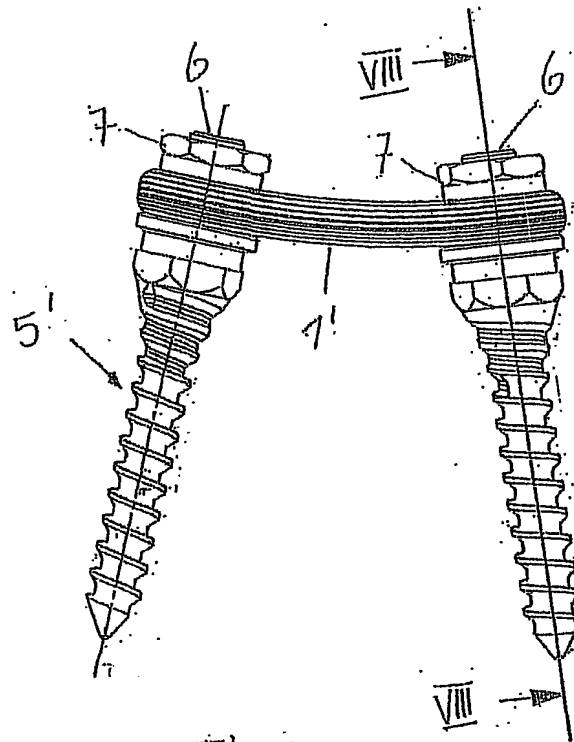


Fig. 6

2/3



3/3

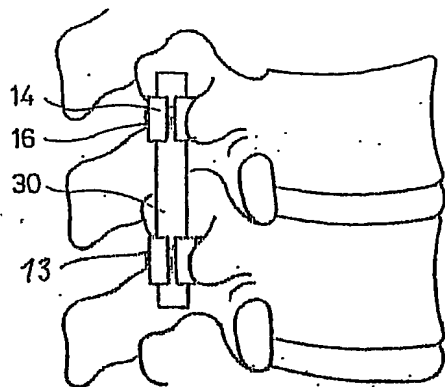


Fig. 10

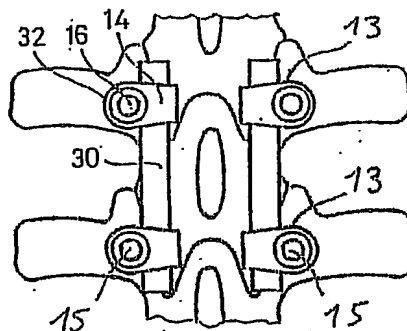


Fig. 11

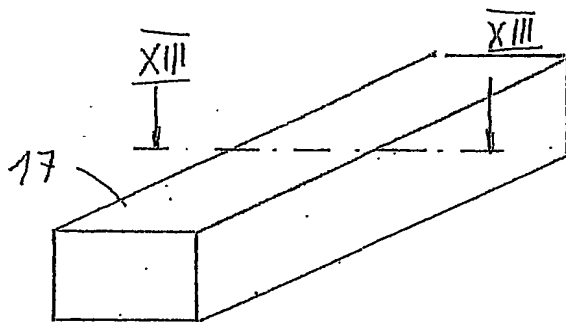


Fig. 12

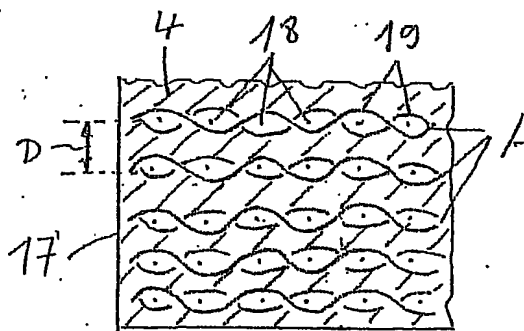


Fig. 13

INTERNATIONAL SEARCH REPORT

national Application No

T/CH 02/00136

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 A61B17/70

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 A61B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 97 09000 A (FRIGG ROBERT ;HEHLI MARKUS (CH); SCHAVAN ROBERT (CH); SYNTHES AG () 13 March 1997 (1997-03-13) claim 1 page 5, paragraph 2 page 4, paragraph 3 -page 5, line 3 figure 1	1-4
X	EP 0 637 437 A (SMITH & NEPHEW RICHARDS INC) 8 February 1995 (1995-02-08) claim 1 page 3, line 36 - line 44 page 7, line 14 - line 19 page 6, line 27 - line 33	1-8
Y	figure 1	9,10
	-/--	



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- * & * document member of the same patent family

Date of the actual completion of the international search

7 May 2002

Date of mailing of the international search report

03/06/2002

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Storer, J

INTERNATIONAL SEARCH REPORT

International Application No
PCT/CH 02/00136

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 90 07304 A (BIOCON OY) 12 July 1990 (1990-07-12) page 11, line 20 - line 35; figure 1	1-5
Y	page 14, line 29 - line 32	10
A	page 16, line 25 - line 30 figure 6	12
X	DE 39 14 164 C (AESCULAP AG) 3 January 1991 (1991-01-03) claim 1; figure 1	1-3,5
	column 2, line 31 - line 32	
	column 2, line 4 - line 8	
	column 3, line 6 - line 14	
Y	column 1, line 54 - line 65; figures 2,3	12
Y	US 4 743 260 A (BURTON CHARLES V) 10 May 1988 (1988-05-10)	9
	column 4, line 37 - line 39	
A	figure 1	1-3,11
Y	FR 2 555 902 A (FRANCE IMPLANT EST) 7 June 1985 (1985-06-07)	12
	page 4, line 8 - line 12	
	claim 3	
A	figure 3	1-3,5

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

RU/CH 02/00136

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
WO 9709000	A	13-03-1997	WO 9709000 A1 AT 200970 T DE 59509247 D1 EP 0848600 A1 ES 2158127 T3 JP 11512004 T US 6206881 B1	13-03-1997 15-05-2001 13-06-2001 24-06-1998 01-09-2001 19-10-1999 27-03-2001
EP 0637437	A	08-02-1995	AU 6187094 A CA 2123353 A1 EP 0637437 A1 JP 6343652 A US 5486176 A	17-11-1994 15-11-1994 08-02-1995 20-12-1994 23-01-1996
WO 9007304	A	12-07-1990	FI 885981 A AU 4745690 A CA 2006435 A1 DE 68914849 D1 DE 68914849 T2 EP 0449867 A1 WO 9007304 A1	24-06-1990 01-08-1990 23-06-1990 26-05-1994 25-08-1994 09-10-1991 12-07-1990
DE 3914164	C	03-01-1991	DE 3914164 C1 WO 9013265 A1	03-01-1991 15-11-1990
US 4743260	A	10-05-1988	US 5282863 A	01-02-1994
FR 2555902	A	07-06-1985	FR 2555902 A1	07-06-1985